

REMARKS

Entry and consideration of the following remarks are respectfully requested.

Claims 1-67 are pending. Claims 1-48, 55-58, and 61-63 have been withdrawn by Examiner as being drawn to a non-elected invention. Claims 49-54, 59-60 and 64-67 are under examination.

Claims 49, 50, and 51 have been amended to include identification of BmaI synthase as a product of the nucleotide sequence identified in SEQ ID NO:2. Support for the claims as amended is found throughout the specification and claims as originally filed. Entry and consideration of the amended claims are respectfully requested.

Claims 64-67 stand rejected under 35 USC §112, first paragraph as allegedly containing subject matter which was not described due to lack of deposit information. Applicants request that this rejection be held in abeyance until claims are allowed at which time the proper deposit will be made.

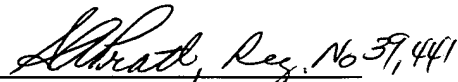

Claims 49-54, and 59-60 stand rejected under 35 USC §102(b) as allegedly anticipated by DeShazer et al. This rejection is traversed in view of the claim amendments and the following. The amended claims are drawn to a mutant strain wherein the function or expression of BmaI3, encoded by SEQ ID NO:2, is altered. BmaI3 was discovered by the inventors of the claimed invention and its function was

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not previously known. Therefore, nowhere in DeShazer is BmaI3 mentioned, described, or suggested. Therefore, the reference does not anticipate the claimed invention. Reconsideration and withdrawal of the rejection is respectfully requested.

All objections and rejections have been addressed. This application is in condition for allowance and Notice to that effect is respectfully solicited.

Respectfully submitted,

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By 
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